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REMARKS

This amendment is filed as part of a Request for Continuing Examination.

Interview Summary

The undersigned had a telephone interview with examiner Pelham on October 23, 2006, regarding several issues raised by a Detailee in the Special Programs Examination Unit concerning the pending application, including (1) the sufficiency of the Declaration and Oath under 37 CFR 1.175(a), (2) whether the reissue claims are for the same invention as that disclosed in the original patent as required by 35 USC 251, (3) whether the claims recapture subject matter surrendered during prosecution, (4) the accuracy of the patent owner's statement under 37 CFR 3.73(b), and (5) whether the patent references had been checked. Examiner Pelham requested the undersigned's comments on these issues, particularly issues (1)-(4).

Regarding issue (1), the undersigned noted that the Declaration and Oath is sufficient because it states that the patentee had claimed less than he had a right to claim in the patent, i.e., an oven comprising a cabinet with isolated and open-ended compartments, trays in the compartments, one tray per compartment, and heaters for heating the compartments independent of one another. This combination of elements is fully supported by the original patent, regardless of whether each tray is provided with a "cover." Further, when a cover is in its "venting" position (see right side of Fig. 3), the corresponding tray is substantially uncovered.

Regarding issue (2), the undersigned noted that the new reissue claims are for a sub-combination of elements fully disclosed in the original patent, and thus the claims satisfy the requirements of 35 USC 251.

Regarding issue (3), the undersigned noted that there has been no recapture of surrendered subject matter because there has been no narrowing of the claims or arguments distinguishing the prior art.

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Regarding issue (4), the undersigned noted that the statement under 37 CFR 3.73(b) identifies the correct reel and frame number of the relevant assignment.

Regarding issue (5), the examiner indicated he would follow up with the aforementioned Detailee for clarification.

On October 24, 2006, Examiner Pelham telephoned the undersigned and stated that the aforementioned Detailee, who had been on temporary assignment to the Special Programs Examination Unit, was no longer available. He further stated that he would discuss the above issues with his SPRE.

#### Information Disclosure Statement

Applicant submits herewith an Information Disclosure Statement citing an additional prior art patent.

#### Status of Claims and Support

Upon entry of this amendment, original patent claims 1-22 and claims 23-46 sought to be added by reissue will be pending.

In this amendment, claims 23, 38 and 43 are amended to further specify that each of the claimed compartments is sized for receiving only one tray per compartment. This feature is supported by the original disclosure, including but not limited to the description in col. 3, lines 51-52, col. 4, lines 6-21, col. 5, lines 2-9, col. 7, lines 45-55, and Figs. 1, 3 and 4 of the patent.

New claims 44-46 are also added specifying that the plurality of compartments referred to in claims 23, 38 and 43, respectively, includes side-by-side compartments. This feature is supported by the original disclosure, including but not limited to Figs. 1-3 of the patent.

#### Fees

The Commissioner is hereby authorized to charge all necessary fees (e.g., for excess claims and the IDS) to Deposit Account No. 19-1345.

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Conclusion

In view of the foregoing, favorable consideration and prompt allowance of this application is requested.

Respectfully submitted,

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